



City of Fort Atkinson  
City Manager's Office  
101 N. Main Street  
Fort Atkinson, WI 53538

**CITY COUNCIL WORKSHOP  
TUESDAY, AUGUST 15, 2023 – 5:30 PM  
CITY HALL – SECOND FLOOR**

<https://us02web.zoom.us/j/5997866403?pwd=alcreldSbGpNUVl1VnR1RWF5bXovdz09>

Meeting ID: 599 786 6403

Passcode: 53538

Dial by Location  
+1 312 626 6799

If you have special needs or circumstances which may make communication or accessibility difficult at the meeting, please call (920) 397-9901. Accommodations will, to the fullest extent possible, be made available on request by a person with a disability.

---

**AGENDA**

- 1. Call to Order**
- 2. Roll call**
- 3. Presentation and discussion of proposed amendments to Section 94-432 of the City of Fort Atkinson Municipal Code and Sections 15.03.28, 15.06.06(12), 15.06.06(19), 15.06.06(21), and 15.06.06(22) of the City of Fort Atkinson Zoning Ordinance relating to **parking restrictions on public rights-of-way and on privately-owned residential property****
- 4. Presentation and discussion of proposed amendments to Section 94-151 of the City of Fort Atkinson Municipal Code relating to the use of **All-Terrain Vehicles (ATVs) on City Streets****
- 5. Adjournment**

*Date Posted: August 11, 2023*

*CC: City Council; City Staff; City Attorney; News Media; Fort Atkinson School District; Fort Atkinson Chamber of Commerce*

*Visit us online! City news and information can be found at [www.fortatkinsonwi.gov](http://www.fortatkinsonwi.gov), and be sure to follow us on Facebook @FortAtkinsonWI.*

---

## Sec. 94-432. Parking restrictions.

- (a) No person shall park, stop or leave standing any unattended vehicle when any part of the vehicle is nearer than ten feet to the centerline of the roadway. However, this provision shall not apply to narrow streets where the parking is restricted to one side only.
- (b) No person shall park, stop or leave standing any vehicle, whether attended or unattended, upon any street or municipal parking lot that has stalls marked thereon in such a manner so as to partially occupy more than one parking stall. However, this provision shall not apply to vehicles that due to their length exceed the parking markings.
- (c) No personnel shall park, stop or leave standing any unattended vehicle on the north side of West Milwaukee Avenue, from the intersection of Lumber Street to a point 55 feet east, unless said person is a current City of Fort Atkinson Fire Department personnel.
- (d) Vehicle and Trailer Parking. No person shall park, stop, or leave standing more than one vehicle and trailer combination in any public parking lot or on any City street, avenue, or alley adjacent to a residential property owned or rented by the owner or renter of the vehicle and trailer combination, except construction vehicles and trailers parking on the street adjacent to the side that is currently being worked at with an active building permit. The location of such on-street parking must be able to safely accommodate the specified trailer and vehicle parked without causing any safety concerns, view obstructions, or other roadway obstructions.
- (e) Trailer parking. The purpose of this subsection is to prevent the use of city streets, avenues, alleys or public parking lots for storage of trailers.
  - (1) It shall be unlawful for the owner or operator of a trailer to cause or permit such trailer to be parked, on any street, avenue, alley or public parking lot within the city, except construction company trailers that are parked on the street adjacent to the site that is currently being worked at, and boat trailers in the municipal lots on the west side of Mechanic Street, the east side of Mechanic Street (weekends only), and the east side of North High Street.
  - (2) Trailers shall be permitted to temporarily park on the street to load, unload, or for emergency repairs if the police department is contacted prior to parking the trailer. The trailer shall be parked adjacent to the property owned by the person making the request.
  - ~~(3) Utility/business trailers shall be allowed to park on residential streets provided that:~~
    - ~~a. The business owner/trailer user obtains a home occupation permit for the business;~~
    - ~~b. The business trailer is registered with the police department (registration fee of \$25.00/year);~~
    - ~~c. The business trailer can only be parked on the street adjacent to the residence having the home occupation permit;~~
    - ~~d. The business trailer will be governed by the 48-hour parking requirement (section 94-431).~~
  - ~~(34)~~ Motorhomes shall be governed by the current 48-hour parking requirements for motor vehicles (section 94-431). The motorhome shall be parked adjacent to the property of the motorhome owner, or the property/people being visited.
  - ~~(54)~~ Semi-trailers parking on all streets, alleys and avenues is prohibited.
  - ~~(65)~~ The fine for violating this subsection shall be not less than \$10.00, nor more than \$25.00 for each occurrence, and each day such violation continues shall constitute a separate offense.

---

(ef) Definitions.

*Camping trailer* means a vehicle with a collapsible or folding structure designed for human habitation and towed upon a highway by a motor vehicle.

*Mobile home* means a vehicle designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction.

*Motorhome* means a motor vehicle designed to be operated upon a highway for use as a temporary or recreational dwelling and having the same internal characteristics and equipment as a mobile home.

*Semi-trailer* means a vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle, but does not include a mobile home. A vehicle used with a ready-mix motor truck to spread the load is considered a semi-trailer.

*Trailer* means a vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle, but does not include a mobile home.

(Code 1969, § 20.08; Ord. No. 569, 11-21-00; Ord. No. 577, 9-18-02; Ord. No. 586, 12-4-01; Ord. No. 593, 8-6-02; Ord. No. 628, 3-15-05; Ord. No. 687, 9-15-09; Ord. No. 747, 3-15-16; Ord. No. 772, 11-8-18)

ORDINANCE NO. \_\_\_\_

AN ORDINANCE TO AMEND THE CITY OF FORT ATKINSON ZONING CODE,  
CHAPTER 15 OF THE CODE OF GENERAL ORDINANCES,  
RELATING TO HOME OCCUPATIONS AND OFF STREET PARKING

NOW, THEREFORE, the City Council of the City of Fort Atkinson, Wisconsin, do ordain as follows:

**Section 1.** Section 15.03.28(4)(i) of the City of Fort Atkinson Zoning Ordinance is hereby amended to read as follows:

**Section 15.03.28(4)(i) Home Occupation Accessory Land Uses: Clarifying permitted parking locations for vehicle permitted through a Home Occupation**

(i) No vehicle larger than one-ton capacity truck or van that is used in conjunction with a home occupation shall be stored on the premises ~~or parked on adjacent residential streets.~~ This prohibition shall also include specialized mobile equipment. ~~Trailers will be allowed to park on the residential street provided that a home occupation permit is approved, the trailer is registered, and a fee paid, and the trailer is safely parked adjacent to the permitted property.~~ Vehicles and/or trailers permitted in conjunction with a Home Occupation Permit must be parked on private property in a legal parking space per Sections 15.06.03 and 15.06.06 and must not encroach on the number of off-street parking spaces required in Figure 15.06.06(a).

**Section 2.** Section 15.06.06(12)(a)3.c.i. of the City of Fort Atkinson Zoning Ordinance is hereby amended to read as follows:

**Section 15.06.06(12)(a)3.c.i. Off-Street Parking and Circulation: Clarifying permitted location and screening for recreational equipment storage (not located in driveways)**

i. Paved pads surfaced with concrete, asphalt, and/or gravel may be used for recreation equipment trailer storage and/or residential utility trailer storage in any ~~provided interior side yard or rear yard, provided the pad is not connected to the driveway and screened from view per the requirements of Section 15.06.06(9).~~

**Section 3.** Section 15.06.06(19) of the City of Fort Atkinson Zoning Ordinance is hereby amended to read as follows:

**Section 15.06.06(19) Off-Street Parking and Circulation: Clarifying Surfacing Standards**

- (a) All off-street parking, loading, and traffic circulation areas outside of the right of way shall be graded and surfaced so as to be dust-free and properly drained and shall be paved with a hard, all-weather or other surface to the satisfaction of the City Engineer. Acceptable

pavement types include asphalt (4" minimum) or concrete (4" minimum), except that single and two-family residentially zoned and used properties may use asphalt that is 3 inches thick outside of the right-of-way. All ~~driveways~~ driveway approaches and parking areas located within the right of way shall be surfaced with a minimum thickness of ~~8 inches of base over 4 inches of asphaltic concrete, or~~ 6 inches of base under 6 inches of concrete. Subbase conditions may require the use of geotextiles, drainage, or additional base to ensure longevity of the asphalt or concrete surface course.

- (b) The following shall be exempt from these surfacing requirements:
1. Driveways in the RH-35 district shall be exempt except for the first 20 feet of the driveway closest to the right-of-way, which shall be asphalt or concrete.
  2. All agricultural land uses (Section 15.03.26).
  3. Enclosed and screened outdoor storage areas. When such uses are discontinued, the area(s) shall comply with the surfacing requirements of Subsection (a), above, or shall be returned to vegetative ground cover.
- (c) All new and replacement approaches ~~driveway installation and driveway maintenance, including replacement of driveway pavement,~~ shall install the required public sidewalk through the street terrace upon surfacing and follow all requirements in subsection (a) above.

**Section 4.** Section 15.06.06(21)(c) of the City of Fort Atkinson Zoning Ordinance is hereby amended to read as follows:

**Section 15.06.06(21)(c) Limitations on Uses of All Off-Street Parking Areas: Clarifying Vehicle Parking Prohibited in Residential Areas**

- (c) Vehicles or equipment not normally associated with a residential use shall not be parked or stored outdoors on a residential property unless a Hhome Ooccupatationney Ppermit has been issued (See Section 15.03.28(4)). On a nonresidential property, such vehicles or equipment shall not be parked or stored outdoors, except in areas identified on an approved site plan for the purpose of heavy vehicle parking or an Outdoor Storage land use. Such vehicles or equipment include but are not limited to:
1. Construction equipment such as bulldozers, backhoes, skid steers, and forklifts
  2. Dump and stake body style trucks
  3. Cube type vans and trucks, longer than 21 feet
  4. Landscaping business equipment such as tractors, tree spades, graders, and scrapers
  5. Semi trailers ~~and tractors~~
  6. Concession, vending, and catering trailers
  7. Commercial/industrial equipment trailers and lifts
  8. Tow trucks, wreckers, or car carriers except for 1 light-duty tow truck (not a roll back, flat bed, or carrier type) with a gross vehicle weight not exceeding 12,000 pounds, may be parked on a residential lot when on call, operating under the rotating call list established and kept by the City of Fort Atkinson Police Department
  9. Amusement rides and similar vehicles

**Section 5.** Section 15.06.06(22) of the City of Fort Atkinson Zoning Ordinance is hereby amended to read as follows:

**Section 15.06.06(22) Relaxing the limitations of storage of commercial vehicles on residentially-zoned private property**

- (22) Limitations on Uses of Residential Off-Street Parking Areas. In residential districts and on lots associated residential uses, accessory off-street parking facilities shall be solely for the parking of passenger vehicles, which shall be regulated as follows:
- (a) A maximum of one commercial vehicle per dwelling unit may be parked outdoors on residential property provided that the vehicle is used by a resident of the dwelling unit, has a manufacturer's gross vehicle weight of ~~2810~~,000 pounds or less, and is less than 21 feet in length.
  - (b) No person shall park any motor truck, truck trailer, trailer, semitrailer or any other vehicle or combination of vehicles weighing more than ~~2810~~,000 pounds, except recreational vehicles or motor homes are permitted if parked in a paved driveway or other legal off-street parking space.
  - (c) A recreational vehicle (RV) associated with and customary to residential uses may be parked as if a passenger vehicle but shall not be utilized for human occupation, the storage of goods, materials, or equipment other than which is considered part of the RV or essential to its function.

**Section 6.** This ordinance shall take effect starting upon passage, posting, or publication as provided by law.

Enacted by the City Council of the City of Fort Atkinson, Jefferson County, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**Fort Atkinson City Council**

\_\_\_\_\_  
**Bruce Johnson, President**

ATTEST:

\_\_\_\_\_  
Michelle Ebbert, City Clerk/Treasurer/Finance Director



Section 15.03.28: Accessory Land Uses and Structures

---

- (4) **Home Occupation:** Economic activities performed within a residential dwelling unit. Examples include personal and professional services, handicrafts, and retail conducted online. Home Occupations are intended to provide a means to accommodate a small home-based family or professional business without the necessity of a rezoning from a residential to a business district. Home Occupations are limited to low intensity businesses and businesses with limited overlap of customer visits.

**Regulations:**

- (a) The Home Occupation shall be conducted only within the enclosed area of the dwelling unit or garage.
- (b) The Home Occupation shall be conducted by a resident who uses the location of the Home Occupation as their principal residence.
- (c) No more than two clients shall be seen at any given time.
- (d) No Home Occupations shall have outside employees or clients between the hours of 8:00 p.m. and 8:00 a.m.
- (e) There shall be no exterior evidence of the Home Occupation and no exterior alterations which change the character of the structure as a single-family dwelling unit.
- (f) No storage or display of materials, goods, supplies, or equipment related to the operation of the Home Occupation shall be visible outside any structure located on the premises.
- (g) There shall be no adverse impact to the residential character of the neighborhood due to the emission of noise, odor, smoke, dust, gas, heat, vibration, electrical interference, traffic congestion, or other nuisances resulting from the Home Occupation.
- (h) The Home Occupation shall not involve the use of commercial vehicles for more than occasional delivery of materials to or from the premises.
- (i) No vehicle larger than one-ton capacity truck or van that is used in conjunction with a home occupation shall be stored on the premises or parked on adjacent residential streets. This prohibition shall also include specialized mobile equipment. Trailers will be allowed to park on the residential street provided that a home occupation permit is approved, the trailer is registered, and a fee paid, and the trailer is safely parked adjacent to the permitted property.
- (j) No mechanical equipment or machinery shall be used other than is usually, customary, and incidental to the residence for domestic or hobby purposes.
- (k) The percentage of the gross finished floor area that may be devoted to the Home Occupation(s) shall not exceed 20 percent of the principal structure, or 300 square feet, whichever is less.
- (l) Home Occupations shall be carried out only by members of the immediate family residing on the premises and one non-resident employee.
- (m) No structural alterations or construction involving features not customarily found in dwellings are allowed.
- (n) The Home Occupation shall not involve manufacturing; processing; the sales or repair of large appliances, vehicles, or motors; commodity or equipment rental; care, grooming, breeding, or keeping of animals; or construction of equipment and machinery. Restaurants, taverns, clubs, amusement or entertainment establishments, or uses that dispatch persons other than the occupant of the residence or equipment from the premises are not permitted Home Occupations.
- (o) Items may be sold or offered for sale on the premises if the sale occurs within the enclosed area of the dwelling unit or garage, is related to the business of the home occupation, and in-person sales are only made to by-appointment clients. Online sales are permitted.

Section 15.03.28: Accessory Land Uses and Structures

---

(p) Minimum required parking: One space is required if there is a non-resident employee. Employee parking in the driveway is permitted.

(q) Permit Required.

1. The applicant shall submit a completed application and any supporting documentation to the Zoning Administrator.
2. A permit shall not be issued until the Zoning Administrator determines that the proposed Home Occupation complies with the standards as set forth in this ordinance.

(r) Special Permit Provisions.

1. Approvals/permits required by other regulatory bodies such as the Health, Police, or Fire Departments must be submitted prior to the issuance of the Home Occupation permit.
  2. A permit for a Home Occupation is issued to an individual person. It is not transferable to any other resident, address, or other occupation. Upon termination of the permit holder's residency, the Home Occupation permit shall be null and void.
  3. A permit for a Home Occupation shall be revocable by the Zoning Administrator, due to failure of the owner/operator to observe all requirements of the permit and/or Zoning Ordinance.
- (5) In-Home Daycare: Occupied residences in which a licensed person or persons provide childcare for 4 to 8 children. The care of less than four children is not subject to the regulations of this Chapter. State Law Reference: Section 66.1017(1)(a), Wisconsin Statutes.
- (6) Accessory Dwelling Unit: Residential dwellings located directly above the ground floor of a building used for an office, commercial, or institutional land use, or a residential dwelling unit located on the same lot as a single-family dwelling unit, either in the same building as the single-family dwelling unit or in a detached building. Accessory Dwelling Units are prohibited in the City of Fort Atkinson.
- (7) In-Family Suite: An area within a dwelling unit that may contain separate kitchen, dining, bathroom, laundry, living, and sleeping areas, including exterior porches, patios, and decks. In addition to the required internal physical connection, separate outdoor access or separate access to the garage may be provided. However, external entries serving as the primary or only access to the In-Family Suite are prohibited.

Regulations:

- (a) In-Family Suites may not be occupied by a non-family member.
- (b) The maximum floor area cannot exceed 20% of the existing dwelling unit's finished habitable area.
- (c) In-Family Suites shall be considered and regulated as part of a single-family dwelling unit.
- (d) The principal dwelling unit and the In-Family Suite shall together appear as a single-family dwelling.
- (e) A separate walled garage area or driveway is not permitted.
- (f) A separate address for the In-Family Suite is not permitted.
- (g) A separate utility connection or meters are not permitted.
- (h) A physical all-weather connection between the main living area and the In-Family Suite must be present. This required connection may not occur through an attic, basement, garage, porch, or other non-living area. A door may be used to separate the In-Family Suite from the principal dwelling, but may not be locking, except that a locking door may be used for the bedroom and bathroom doors of the In-Family Suite.



## ***ARTICLE V. ALL-TERRAIN VEHICLES***

### **Sec. 94-151. State law adopted.**

The provisions of Wis. Stats. § 23.33, relating to all-terrain vehicles, exclusive of any provisions thereof relating to the penalty to be imposed or the punishment for the violations thereof, are adopted and made a part of this section by reference.

(Code 1969, § 16.22)

### **Secs. 94-152—94-180. Reserved.**

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE TO REPEAL AND RECREATE SECTION 94-151 OF THE CITY OF FORT ATKINSON  
CODE OF GENERAL ORINANCES  
RELATING TO THE USE OF ALL-TERRAIN VEHICLES (ATVS) ON CITY STREETS**

**WHEREAS**, the City of Fort Atkinson (the City) has previously adopted ordinances regulating the use and operation of all-terrain vehicles (ATVs) and utility-terrain vehicles (UTVs) via Sec. 94-151 adopting Wis. Stats. 23.33(11)(a); and

**WHEREAS**, Following due consideration of the recreational and economic value in allowing ATVs and UTVs to access businesses and residences using City streets, weighted against possible dangers, public health, public safety, liability aspects, terrain involved, traffic density and other traffic risks, this ordinance is enacted pursuant to 23.33 Wis. Stats., and the provisions of the Wisconsin Administrative Code NR 64 regulating ATV/UTV operation, which is hereby incorporated and adopted; and

**WHEREAS**, the City further finds that its present ordinances regulating the use of ATVs and UTVs are outdated and must be restated and adopted.

**NOW THEREFORE**, the City Council of the City of Fort Atkinson, Wisconsin, does hereby ordain as follows:

**Section 1.** Repeals Sec. 94-151 of the Ordinances.

**Section 2.** Recreates Sec. 94-151 of the City of Fort Atkinson Municipal Code to read as follows:

“Sec. 94-151. – State Laws Adopted for clarity purposes.

- A. The provisions of Wis. Stats. § 23.33, and the defining regulations found in Wis. Admin. Code NR Ch. 64 with respect to the regulation of all-terrain vehicles, including any future amendments thereof, are hereby adopted by reference and made part of this section as if fully set forth herein. Acts required to be performed or prohibited by such statutes are required or prohibited in this section.
- B. The operator of ATV/UTV shall be subject to Wis. Stats. Sections 341.057, 346.02(11), 346.04, 346.06, 346.11, 346.14(1), 346.18, 346.19, 346.21, 346.215(3), 346.22, 346.27, 346.33, 346.35, 346.37, 346.39, 346.44, 346.46, 346.47, 346.48, 346.50, 346.50(1)(b), 346.51, 346.52, 346.53, 346.54, 346.55, 346.71, 346.87, 346.88, 346.89, 346.90, 346.91, 346.92(1), and 364.94(1) and (9). Acts required to be performed or prohibited by such Statutes are required or prohibited by this Chapter.

Sec. 94-152. – Definitions.

A. All-terrain vehicle (ATV): A commercially designed and manufactured motor-driven device that does not meet federal motor vehicle safety standards effective July 1, 2012, that is not a golf cart, low speed vehicle, dune buggy, mini-truck, or tracked vehicle, that is designed to be used primarily off of a paved road, and that has, and was manufactured with, all of the following:

1. A weight, without fluids, of 900 pounds or less.
2. Four or more tires.
3. A steering handlebar, single or dual headlights, a tail and brake light.
4. A width of no more than 50 inches.

B. Utility-terrain vehicle (UTV): A commercially designed and manufactured motor-driven device that does not meet federal motor vehicle safety standards effective July 1, 2012, that is not a golf cart, low speed vehicle, dune buggy, mini-truck, or tracked vehicle, that is designed to be used primarily off of a highway, and that has, and was manufactured with, all of the following:

1. A weight, without fluids, of 3,000 pounds or less.
2. Four or more tires.
3. A cargo box installed by the manufacturer measured laterally between the outermost wheel run on each side of the vehicle, exclusive of tires, mirrors, and accessories that are not essential to the vehicle's basic operation.
4. A steering wheel, tail and brake lights, and two headlights.
5. A width of no more than 65 inches.
6. A system of seat belts, or similar system, for restraining each occupant of the device in the event of a collision.
7. A system of structural members designed to reduce the likelihood that an occupant would be crushed as a result of a rollover of the device (roll bars).

- C. ATV/UTV Route: A street designated for use by ATV/UTV vehicle operators by the governmental agency having jurisdiction as authorized by this Chapter.
- D. Operate: To exercise physical control over the speed or direction of an all-terrain vehicle or physically manipulate or activate any of the controls of an all-terrain vehicle necessary to put it into motion.
- E. State Trunk Highway: Any highway designated pursuant to Wis. Stat. § 84.29 as part of the state trunk highway system.
- F. City Streets: Every named, paved public right-of-way within the corporate limits of the City, inclusive of State Connecting Highways, and excluding alleys.

Sec. 94-153. – All-terrain/Utility Terrain vehicle routes. ATV/UTV usage shall be authorized on all City streets.

Sec. 94-154. – Age Requirement. All ATV/UTV operators shall be 18 years or older to operate an all-terrain vehicle on road routes in the City, holding a valid Wisconsin Driver's License. The operator, upon request from any law enforcement officer, state patrol, or inspector under Wisconsin Statutes 110.07(1), conservation warden, or municipal peace officer shall display said operator's license to said agent as well as proof of insurance and registration.

Sec. 94-155. – Speed Limits. All ATV/UTV operators shall observe the posted speed limits on City streets.

Sec. 94-156. – Registration and Display of Registration. All ATV/UTV vehicles operated within the City of Fort Atkinson on designated routes are required to have State of Wisconsin registration as issued by the Wisconsin Department of Natural Resources and display such registration on the ATV/UTV vehicle.

Sec. 94-157. – Operating Requirements.

- A. All ATV/UTV operators shall ride single file on the right side of the City Street but shall not operate on any unpaved or shoulder section of City Streets.
- B. Headlights and taillights shall be present and on at all times.
- C. All-terrain/utility terrain vehicles shall yield the right-of-way to non-motorized vehicles, such as bicycles and pedestrians.

- D. No person shall leave or allow an all-terrain/utility terrain vehicle owned or operated by him/her to remain unattended on any public highway or public property while the motor is running or with the starting key left in the ignition.
- E. No owner having charge or control of an all-terrain/utility terrain vehicle shall authorize or permit any person to operate such all-terrain vehicle who is not permitted under state law to operate an all-terrain/utility terrain vehicle or who is under the influence of an intoxicant or a dangerous or narcotic drug.
- F. Wis. Stat. § 346.63, which prohibits the operation of a motor vehicle while under the influence of an intoxicant or other drugs, shall apply to the operation of an all-terrain/utility terrain vehicle at any place within the City.
- G. No person shall operate an all-terrain/utility terrain vehicle in the City between dusk and 9:00 A.M.
- H. No operator or passenger of an all-terrain/utility terrain vehicle may possess in or on an all-terrain/utility terrain vehicle on any City Street in the City of Fort Atkinson, any bottle or receptacle containing alcohol beverages if the bottle or receptacle has been opened, the seal has been broken, or the contents of the bottle or receptacle have been partially removed or released.
- I. During special events within the City limits, the Chief of Police, with the approval of the City Manager, is granted authority to allow for all-terrain/utility terrain vehicle operation on City streets for the duration of going to or coming from said event or during a parade. An operator needs to contact the Fort Atkinson Police Department and provide their name, all terrain/utility terrain device type and registration number, and the Chief of Police will review the request for permission and notify the individual either verbally or in writing of his/her decision.
- J. ATVs/UTVs shall only be operated on paved surfaces, unless yielding the right-of-way. ATVs/UTVs shall not operate in any public municipal property, public park, public golf course, public walking trail, public sidewalk, public alley, public unpaved surface, or on any private property without permission of the property owner.
- K. Operator shall have proof of liability insurance consistent with State of Wisconsin requirements for motor vehicles.
- L. Parking. ATVs/UTVs shall be subject to all parking requirements and allowances of motor vehicles included in the City of Fort Atkinson Municipal Code, except that ATVs/UTVs shall not be parked overnight on any City Street.



Sec. 94-158. – Signage. City staff shall mark entrances to the City with signage in accordance with Wis. Admin. Code NR § 64.12 and NR § 64.12(7)c. Locations and placement must be approved by the Police Chief and Public Works Director. Signs shall be maintained by the City. No person may erect or remove any official sign unless authorized by the City.

Sec. 94-159. – Penalties. Any person who shall operate an all-terrain vehicle in violation of this section, in addition to the penalties of Wis. Stats. Ch. 346 and Ch. 23.33 shall forfeit to the City not less than \$50.00, nor more than \$200.00, for each violation together with costs and assessments imposed under Wis. Stats. Ch. 814. This penalty section may be amended and set annually by the City Council.

Sec. 95-160. – Review and Sunset Provision. Information and statistics relating to incidents, accidents, and calls stemming from the use of ATVs/UTVs on City Streets shall be reviewed by the City Council every six months starting six months from the effective date of this ordinance, through a staff report. This ordinance will cease to be effective and automatically be repealed two years from the effective date of the ordinance, unless specific action is taken by the City Council to extend the date of said ordinance.

**Section 3.** Upon its adoption, the clerk is hereby directed to send a copy of this ordinance to the Wisconsin Department of Transportation, the Wisconsin State Patrol, the Jefferson County Sheriff Department, the Wisconsin Department of Natural Resources, and the Fort Atkinson Police Department, pursuant to Wis. Stat. § 23.33(11)b.

**Section 4.** Effective Date. This ordinance shall take effect after passage, publication, and attestation as required by law.

Enacted by the City Council of the City of Fort Atkinson, Jefferson County, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**Fort Atkinson City Council**

\_\_\_\_\_  
**Bruce Johnson, President**

ATTEST:

\_\_\_\_\_  
Michelle Ebbert, City Clerk/Treasurer/Finance Director